REMARKS

Applicant has carefully reviewed the Office Action dated October 30, 2009. Applicant has amended Claims 1, 8, 9, 11, 18, and 19 to more clearly point out the present inventive concept. Claims 21-25 have been withdrawn. Claims 1-20 are pending in the application. Reconsideration and favorable action is respectfully requested.

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserts on page 3 that "the claim(s) contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." The Office Action indicates that in considering Claim 1 (and similarly Claim 11) that the Claim recites "the representation of the MRC having no routing information contained therein." The Office Action asserts that "contradictorily, the specification recites in [0093], the bar code is the 'link' to a product" and that "it is a reasonable interpretation to read the claimed routing information as the 'link'." The Office Action still further asserts that "therefore, the recited limitation is not fully supported by the specification."

Applicant has amended Claim 1 to include "forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device, the representation of the MRC having no <u>network address</u> routing information contained therein." Applicant has amended Claim 11 to include "a machine recognizable code (MRC) at said user location has a representation of the MRC information formed by a scanning operation thereof in response to the user pressing a first button of the remote control device, which said representation of the MRC has no <u>network address</u> routing information contained therein." Applicant respectfully submits that Claims 1 and 11 as amended meet the requirements of 35 U.S.C. 112, first paragraph.

AMENDMENT AFTER FINAL
SN: 10/780,109
Atty. Dkt. No. RPXC-26,630

Page 9 of 13

Applicant respectfully submits that the statement in paragraph [0093] of the specification describing that the bar code 1606 as the "link" to a product is using the term "link" in a symbolic manner, as indicated by the use of quotation marks around the term. In the embodiment described in paragraph [0093] the bar code 1606 contains no network address routing information. Although it is used to obtain network address routing information, the bar code 1606 does not contain network address routing information in itself. Applicants have amended Claims 1 and 11 to further clarify this feature. In view of the foregoing, Applicant respectfully requests that the 35 U.S.C. 112, first paragraph rejection of Claims 1-20 be withdrawn.

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0011276 to Durst et al. (hereinafter "*Durst*") in view of U.S. Patent No. 5,992,752 to Wilz et al. (hereinafter "*Wilz*"), further in view of U.S. Patent Application Publication No. 2002/0059241 to Van Ryzin (hereinafter "*Van Ryzin*"). Applicant respectfully traverses the 35 U.S.C. 103(a) rejections of Claims 1-20.

Claim 1 as amended includes the features of "forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device, the representation of the MRC having no network address routing information contained therein" and "wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device in response to the step of forming." Claim 1 further includes the feature of "displaying the downloaded information on a display at the user location,–such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming." Applicant respectfully submits that the cited references fail to teach or suggest at least these features of Claim 1 as amended.

Durst describes a system in which a user first depresses a scan button 22 of a remote control unit 10, 10A to scan a machine readable symbol 12 encoded with data representative of the location of a resource (such as a URL). *Durst* system then requires that the user point the remote control unit 10, 10A at a web-ready television 20 or television set-top conversion unit 20a and press a transmit button 24 to transmit image data captured during scanning to the web-ready

television 20 or the television set-top conversion unit 20a (see, for example, paragraphs [0038] and [0043]-[0044] of *Durst*). To provide for the necessity of the user to point the remote control unit 10, 10A at the web-ready television 20 or the television set-top conversion unit 20a in order to transmit the scanned data, the system of *Durst* requires the user to either press a transmit button 24 or alternatively to wait for a delay of time after the scanned data is captured to transmit the scanned data. Thus, *Durst* contains no teaching or suggestion of "forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device...", "wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device in response to the step of forming", and "displaying the downloaded information on a display at the user location,-such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming" as recited in Claim 1.

The Office Action asserts on page 5 that Figures 1B2, 1B4 and 4 of *Wilz* teaches "wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device in response to the step of forming" and "displaying the downloaded information on a display at the user location,-such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming." The Office Action further asserts that "it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of *Durst* and *Wilz* to take advantage of the internet terminal with browser of *Wilz* to display product-related information after scanning the bar code." Applicants respectfully disagree. Applicant respectfully submits that it would not be obvious to one of ordinary skill in the art to combine the *Durst* and *Wilz* references in the manner indicated in the Office Action as such a combination would render the system of *Durst* inoperative.

As discussed above, the system of *Durst* requires a user to first depresses a scan button 22 of a remote control unit 10, 10A to scan a machine readable symbol 12, and then requires that the user point the remote control unit 10, 10A at a web-ready television 20 or television set-top conversion unit 20a and press a transmit button 24 to transmit image data captured during

scanning to the web-ready television 20 or the television set-top conversion unit 20a. Thus, the system of *Durst* requires that the remote control unit 10, 10A be repositioned by the user after scanning before the scanned data is transmitted. In contrast, *Wilz* describes a system having an automatic laser scanning bar code symbol reader 7A for scanning a bar code symbol encoded with a URL. As described in column 17, line 57 to column 18, lines 12 of *Wilz*, the automatic laser scanning bar code reader 7A automatically scans and reads a URL-encoded bar code symbol 8 when the bar code symbol is aligned with a sighting aperture. Applicant respectfully submits that combining the automatic scanning system of *Wilz* with the system of *Durst* would render the system of *Durst* inoperable because the automatic scanning system of *Wilz* would not allow the user to perform the required step in *Durst* of repositioning the remote control unit before the scanned data is transmitted because the scanned data would be transmitted immediately after the scanning procedure. The user would not be provided with enough time to reposition the remote control unit before such transmission. In view of the foregoing, Applicant respectfully submits that Claim 1 is allowable over the cited references and requests that the 35 U.S.C. 103(a) rejection of Claim 1 be withdrawn.

Claim 11 includes features similar to those found in Claim 1 and thus is allowable for analogous reasons. Claims 2-10 and 12-20 are dependent upon and include the features of Claims 1 and 11, respectfully. In view of the foregoing, Applicant respectfully requests that the 35 U.S.C. 103 rejections of Claims 1-20 be withdrawn.

New claims 21-25 have been restricted as being "directed to an invention that is independent or distinct from the invention originally claimed." Applicant has withdrawn Claims 21-25 from consideration.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/RPXC-26,630 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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